

**FLATHEAD COUNTY BOARD OF ADJUSTMENT
MINUTES OF THE MEETING
JULY 7, 2015**

**CALL TO
ORDER**

A meeting of the Flathead County Board of Adjustment was called to order at approximately 6:00 p.m. at the Earl Bennett Building, Conference Rooms A and B, 1035 1st Ave W, Kalispell, Montana. Board members present were Gina Klempel, Ole Netteberg and Mark Hash. Cal Dyck and Roger Noble had excused absences. Rachel Ezell and Mark Mussman represented the Flathead County Planning & Zoning Office.

There were 5 people in the audience.

**APPROVAL OF
MINUTES
6:00 pm**

Klempel motioned and Netteberg seconded to approve the June 2, 2015 minutes. The motion passed unanimously.

**PUBLIC
COMMENT
*(Public matters
that are within
the jurisdiction
of the Board
2-3-103 M.C.A)*
6:01 pm**

None.

**CHRISTIE
BECKER FOR
DAVID AND
RUTH FRETZ
(FCU-15-05)
6:01 pm**

A request by Christie Becker on behalf of David & Ruth Fretz for a Conditional Use Permit to establish a 'commercial kennel' and 'caretakers facility' on approximately 24.6 acres located within the Highway 93 North Zoning District and zoned SAG-10 (Suburban Agricultural). The subject property is located at 3945 Highway 93 North.

STAFF REPORT

Ezell reviewed FCU-15-05 for the board.

**BOARD
QUESTIONS**

None.

**APPLICANT
PRESENTATION**

Christie Becker, 1197 Bald Eagle Loop, gave a history of her work with animals and a grooming business she owned in Kalispell. The kennel would be more of a resort instead of a commercial kennel. It would be a doggie day care as well as have overnight capabilities. There would not be an outdoor run like a typical kennel where the dogs were locked up all day. The dogs

would have interactions and an employee who would be present with the dogs during the days and at play time. She explained what surrounded the location which was the Raceway Park and the county landfill. They had good access with Highway 93 and adequate room to run for the dogs.

**PUBLIC
COMMENT**

David Fretz, 300 Bowdish Road, said the construction of the buildings would be with insulated concrete forms from footing up to plate height for the building which made a soundproof building and highly energy efficient. The way things were designed, the dogs' noise would not be an issue.

**STAFF
REBUTTAL**

None.

**APPLICANT
REBUTTAL**

None.

**BOARD
DISCUSSION**

Netteberg, Fretz and Becker discussed if there was room for expansion.

Netteberg and Klempel briefly discussed a previous kennel located across the road from this application.

Hash and Ezell discussed lighting for the building.

Hash and Becker discussed if the noise from the kennel would travel to other properties, if there would be times the dogs would be outside and if the noise would be confined. They discussed the hours when the dogs would be outside which was 7:30 am to 9:00 pm.

Hash and Ezell discussed if the hours were part of the conditions.

Becker brought up situations where there might be a dog outside.

Ezell said the applicants had adequate setbacks for noise mitigation as well as sound proof construction.

Hash said he had seen property change hands and the people they had sold to might not do things the same way. He wouldn't mind a condition on the application concerning noise which said all efforts would be made to keep the sound on the property at all

times.

Hash and Becker discussed if having a condition concerning noise would be an issue.

Netteberg, Fretz and Becker discussed the goal of the kennel and how the kennel would be more personalized.

Hash said the only thing he could think of was other situations where noise from dogs was excessive. He wanted to make sure if the property was no longer under Becker's control that there would be a condition in place to address possible noise issues.

**MAIN MOTION
TO ADOPT
F.O.F.
(FCU-15-05)**

Netteberg made a motion seconded by Klempel to adopt staff report FCU-15-05 as findings-of-fact.

**BOARD
DISCUSSION**

None.

**ROLL CALL TO
ADOPT F.O.F.
(FCU-15-05)**

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION**

The board discussed possible wording for a motion.

**MAIN MOTION
TO APPROVE
(FCU-15-05)**

Klempel made a motion seconded by Netteberg to add condition #14 to read:

#14. Hours of operation of the commercial kennel shall be 7:30 AM to 9 PM and all reasonable efforts shall be made to keep barking noise on the property, especially during the hours of operation.

**BOARD
DISCUSSION**

None.

**ROLL CALL TO
APPROVE
(FCU-15-05)**

On a roll call vote the motion passed unanimously.

OLD BUSINESS

None.

NEW BUSINESS The board and Donna Valade, board secretary, discussed what was tentatively scheduled on future meeting dockets.

Hash commended Ezell on her staff report.

ADJOURNMENT The meeting was adjourned at approximately 6:23 pm. on a motion by Klempel. The next meeting will be held at 6:00 p.m. on August 4, 2015.

C. Mark Hash, Chairman

Donna Valade, Recording Secretary

*APPROVED AS **SUBMITTED**/CORRECTED: 8 / 4 / 15*